

Re Box No. V.

In the present opinion, reference is made to the following documents:

- D1: US 2002/152320 A1 (LAU P ET AL) 17 October 2002 (2002-10-17)
- D2: DATABASE WPI, Section EI, Week 200236, Derwent Publications Ltd., London, GB; Class W02, AN 2002-316315 & CN 1 321 004 A (HUAWEI TECH CO LTD) 7 November 2001 (2001-11-07)
- D3: ARDON M T ET AL: "PROVIDING ULTRA-RELIABLE SERVICES USING DISTRIBUTED SWITCH ARCHITECTURES" PROCEEDINGS OF THE XIV INTERNATIONAL SWITCHING SYMPOSIUM, YOKOHAMA, JAPAN, volume 1, 25 October 1992 (1992-10-25), pages 169-173.
1. The present application does not fulfill the requirements of PCT Article 33(1) because the subject matter of claim 1 is not novel with regard to PCT Article 33(2). The reasons for this are as follows:

Document D1 discloses (the references in brackets relate to this document) *a method for substitutive connection of spatially separated switching systems which are arranged in pairs having 1:1 redundancy (cf. paragraphs [0014]-[0023]), wherein the one switching system is in an active operating state (cf. the switching device S1, see Fig. 1 and paragraph [0016]) and the remaining redundant switching system (cf. the switching device S2) is in a hot-standby operating state (cf. paragraph [0023]), wherein communication is established between at least one superordinate real-time enabled monitor (cf. the network controller NC) and at least one of the paired switching systems (cf. paragraphs [0019], [0020] and [0023]), and*

wherein in the event of a loss of communication to the active switching system, a changeover to the redundant switching system is effected in real time with the support of the central controller of said redundant switching system (cf. paragraph [0021]).

- Document D2 discloses a method for substitutive connection of spatially separated switching systems which are arranged in pairs having 1:1 redundancy (cf. the title),

wherein the one switching system is in an active operating state (cf. the "host switch") and the remaining redundant switching system is in a hot-standby operating state (cf. the "standby switch") (cf. the Abstract),

wherein communication is established between at least one superordinate real-time enabled monitor and at least one of the paired switching systems (the "control boards" of the active and redundant switching systems communicate with each other in real time and therefore monitor each other, cf. "in mutual monitor...mode"; the control board of the active switching system is therefore the superordinate monitor of the redundant switching system and vice versa), and

wherein in the event of a loss of communication to the active switching system, a changeover to the redundant switching system (cf. the "standby switch") is effected in real time (cf. the Abstract) with the support of the central controller (cf. the control board) of said redundant switching system.

The subject matter of claim 1 is thus not novel (PCT Article 33(2)).

It should also be noted that the subject matter of claim 1 is not inventive (PCT Article 33(3)) in relation to the

document D3.

This document discloses a method for substitutive connection of spatially separated switching systems which are arranged in pairs having 1:1 redundancy, i.e. a rehoming method (cf. section 4.3.1 - section 4.3.1.2), wherein the one switching system is in an active operating state (cf. the "primary host switch") and the remaining redundant switching system is in a hot-standby operating state (cf. the "backup host switch"), and wherein a changeover to the redundant switching system (cf. the "backup host switch") is effected in real time (cf. section 4.3.1.2, second paragraph) with the support of the central controller of said redundant switching system.

Therefore the subject matter of claim 1 differs from this method by virtue of the monitor. In the method described in document d3, however, a periodic check (cf. "periodic verification") of the two switching systems is carried out (cf. Figure 1). The monitor according to claim 1 is therefore merely one of a plurality of obvious possibilities from which a person skilled in the art would choose according to the circumstances in order to carry out this periodic check, without thereby being inventive. Consequently, on the basis of document D3, the subject matter of claim 1 does not involve an inventive step (PCT Article 33(3)).

2. Claim 8 defines a monitor for monitoring and connecting switching systems. Such a monitor is already known from document D1 (cf. the "primary" network controller NC1 and the "secondary" network controller NC2, see Figure 2 and paragraph [0022]) and from document D2 (cf. the control board of the active switching system, which control board is the monitor of the redundant switching system and vice versa).

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(SUPPLEMENTARY SHEET)**

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PCT/EP2004/051937

The subject matter of claim 8 is thus not novel (PCT
Article 33(2)).

3. Dependent claims 2-7 and 9-10 do not contain any additional features which, combined with the features of any claim to which they relate, fulfill the PCT requirements with regard to novelty (PCT Article 33(2)) and inventive step (PCT Article 33(3)) because these additional features relate to conventional measures and/or are already known from documents D1-D3.